



## Mark E. Hauck

PARTNER

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### INDUSTRIES & PRACTICES

Privately Owned Business Disputes  
Contract Disputes

### BAR ADMISSIONS & ASSOCIATIONS

Member of the Bar, State of Michigan  
Detroit Metropolitan Bar Association  
American Bar Association  
Federal Bar Association, Detroit Chapter

### ALTERNATIVE DISPUTE RESOLUTION

**Certified Civil Mediator (Michigan Supreme Court Administrative Office)**

### Court Approved Mediator

Oakland County Circuit Court  
Macomb County Circuit Court  
Wayne County Circuit Court  
United States District Court

### Business Court Neutral

Macomb County Circuit Court  
Wayne County Circuit Court

### Arbitrator – American Arbitration Association

Mark Hauck is a founding member of HBJ Law specializing in business law. He is recognized as a Michigan Super Lawyer, a Best Lawyer in America and DBusiness Top Lawyer. Before HBJ Law, he practiced at a national law firm headquartered in Detroit for over thirty-one years, serving as the head of the Business Litigation Practice Group and as Assistant General Counsel. His legal career spanning nearly forty years has been dedicated to serving businesses and their owners. Mr. Hauck has the unique ability to mesh his skills as an aggressive trial attorney with his deep knowledge and experience as a practical business lawyer. As a result, he is equally comfortable in a courtroom and a board room. He is laser focused on achieving results while controlling the legal costs incurred by his clients.

## EXPERIENCE

### Privately Owned Business Disputes

Mr. Hauck is a recognized expert on matters arising out of privately owned businesses. He works with business owners to form new companies assisting in decisions regarding business type and structure and drafting operating agreements and shareholder or member agreements. Mr. Hauck also has a long history of handling shareholder disputes, proxy fights, business break-ups and matters involving business owners' fiduciary duties. He has helped to develop the law in Michigan governing privately owned business disputes, including contributing to provisions in the Michigan Business Corporation Act that govern such matters and as a respected contributor to the Michigan Business Law Journal. Mr. Hauck's over three decades of experience in this area of the law makes him uniquely qualified to counsel business owners concerning the diverse matters that arise in closely held corporations and limited liability companies, including professional corporations and professional limited liability companies owned by physicians, lawyers and accountants.

### Breach of Contract Disputes

Mr. Hauck has handled myriad breach of contract cases, including multi-million dollar joint-venture disputes, Uniform Commercial Code (Article 2 Sales) cases, franchise terminations and claims arising out of buy/sell agreements and operating agreements. He has litigated disputes over manufacturers' rep contracts and high stakes lease disputes and real property foreclosures. His knowledge and experience in finance, accounting, business valuation, and damage analysis allows him to hit the ground running when he is retained to handle such cases.



### Investor Advisor Disputes

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### Alternative Dispute Resolution

As a certified mediator and arbitrator, Mr. Hauck assists other attorneys in resolving business disputes outside of the courtroom. His expertise in commercial and business matters makes him especially effective either as a mediator to facilitate settlement or as an arbitrator to decide cases that cannot be settled amicably. He was a pioneer in the development of Michigan's Business Courts and participated in initiatives by the Michigan Supreme Court's Office of Dispute Resolution that made early mediation a centerpiece of these new forums. Through these efforts he has obtained a wealth of insights and experience in the effective use of alternative dispute resolution to effectively and efficiently address business disputes.

### Significant Recent Results

- Litigated a contentious proxy fight in Delaware Chancery Court resulting in the placement of clients' preferred slate of directors.
- Obtained a multi-million dollar buy out for a 50% shareholder in a successful Michigan based automobile dealership.
- Favorably resolved a contentious medical practice shareholder dispute.
- Obtained multi-million dollar settlement in favor of an investor defrauded by Registered Investment Advisor.
- Successfully defended majority shareholder of privately owned Tier Two automobile supplier against shareholder oppression claims.
- Successfully defended directors accused of breaching their fiduciary duties in connection with the sale of company subsidiary to private equity firm.
- Recovered multi-million dollar verdict against controlling shareholder of Michigan corporation on behalf of oppressed minority shareholder.

### SEMINARS, SPEECHES & PUBLICATIONS

*Electronic Communications and Discovery in the 21st Century*, Litigation Management in a New York Minute (2015 Edition), a Trial.Com Litigation Management SuperCourse, New York, NY, August 7, 2015

*Effective Alternate Dispute Resolutions Approaches and Strategies*, Litigation Management in a New York Minute (2013 Edition), a Trial.Com Litigation Management SuperCourse, New York, NY, August 9, 2013

*21st Century Legal Fee Arrangements: A Brave New World*, Litigation Management Supercourse, Litigation Management in a NEW YORK Minute, Trial.com, New York, NY, August 10, 2012

*Technology in the Courtroom, The Network of Trial Law Firms' Conference: A New Decade of Challenges for In-House Counsel*, Scottsdale, AZ, April 23, 2010

"Shareholder Oppression and the Direct/Derivative Distinction", Summer 2007, *The Michigan Business Law Journal*, Volume XXVII, Issue II

"*Franchino v. Franchino*: A Serious Blow to Minority Shareholder Oppression Lawsuits in Michigan", Summer 2005, *The Michigan Business Law Journal*, Volume XXV, Issue II

### AWARDS & RECOGNITION

Named to Michigan Super Lawyers, 2011-2019

Listed in The Best Lawyers in America®, 2013 – Present

- Commercial Litigation (2013-2020)
- Closely Held Companies and Family Business (2020)
- Litigation – Mergers and Acquisitions (2020)

12 Attorneys Receive "Lawyer of the Year" Honors, August 18, 2015

Named to DBusiness List of 2019 Top Lawyers,